



Cynthia S. Betz
Partner

T. 973-848-5377

F. 973-297-6636

cbetz@mccarter.com

McCarter & English, LLP

Four Gateway Center

100 Mulberry Street

Newark, NJ 07102-4056

www.mccarter.com

May 15, 2024

VIA ECF

Hon. José R. Almonte, U.S.M.J.
U.S. District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: *Pacira Pharmaceuticals, Inc., et al. v. eVenus Pharmaceuticals Labs. Inc., et al.*
No. 2:23-cv-2367-MCA-JRA**

Dear Judge Almonte:

We, along with Fish & Richardson P.C. and O'Toole Scrivo, LLC, represent Plaintiffs in this matter. We write to respectfully request an extension of time to file a Motion to Seal certain materials associated with the briefing on Plaintiffs' Motion to Dismiss Defendants' De-listing Counterclaims.

Plaintiffs filed a Motion to Dismiss Defendants' De-listing Counterclaims on April 10, 2024. (ECF Nos. 115, 116). Part of Plaintiffs' submission was made under seal. (ECF No. 116). Defendants' opposition to the Motion, filed May 6, 2024, was also filed under seal. (ECF No. 122). Plaintiffs filed their Reply Brief on May 13, 2024.¹ (ECF No. 123). The Motion is now fully briefed with a Motion to Seal, pursuant to L. Civ. R. 5.1(c)(2), due on or before May 28, 2024.

The Parties have met-and-conferred and believe that any Opinion on Plaintiffs' Motion is likely implicate the same confidential material at issue in the temporary sealed filings mentioned above. Accordingly, the Parties respectfully request that the deadline to file the aforementioned consolidated Motion to Seal be extended until 10 days after the Motion to Dismiss has been resolved. The Parties believe that this will be more efficient, because, at that time, the Parties will file one consolidated Motion to Seal that addresses the briefing as well as any portion of the Court's Opinion on the Motion to Dismiss that the Parties may seek to keep under seal.

¹ Plaintiffs' Reply Brief was not filed under seal.

If this request is acceptable to the Court, we respectfully request Your Honor endorse this letter as “So Ordered.” We appreciate Your Honor’s attention to this matter.

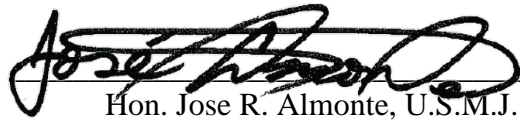
Respectfully submitted,

/s/ Cynthia S. Betz

Cynthia S. Betz

CC: All counsel of record (via ECF)

SO ORDERED this 16th day of May 2024:



Hon. Jose R. Almonte, U.S.M.J.